



FISCAL MEMORANDUM

HB 2271 - SB 2682

March 2, 2022

SUMMARY OF BILL AS AMENDED (014773): Expands the list of offenses for which certain items may be seized utilizing criminal asset forfeiture to include: (1) aggravated kidnapping; (2) especially aggravated kidnapping; (3) aggravated rape of a child; (4) rape of a child; (5) aggravated rape; (6) rape; and (7) the commission of an act of terrorism.

FISCAL IMPACT OF BILL AS AMENDED:

Other Fiscal Impact – The proposed legislation may result in increases in state and local revenue. The extent and timing of such increases cannot reasonably be determined.

Assumptions for the bill as amended:

- Based upon information provided by the Department of Correction (DOC), in each of the last 10 years there has been an average of
 - 23.8 admissions for aggravated kidnapping;
 - 14.3 admissions for especially aggravated kidnapping;
 - 1.10 admissions for aggravated rape of a child;
 - 18 admissions for aggravated rape;
 - 35.2 admissions for rape; and
 - 37 admissions for rape of a child.
- There has been 1 admission total in the past 10 years for commission of an act of terrorism.
- Tennessee Code Annotated § 39-11-713 establishes a priority schedule for payments of forfeiture proceeds with the reasonable expenses of the forfeiture proceeding paid first followed by distribution to participating law enforcement, the District Attorney General Conference, and the court clerk. Any remaining proceeds are required to be deposited into the General fund, if the investigating and seizing agency is a state agency, or to the applicable local government, if the investigating and seizing agency is a local public agency.
- Passage of the proposed legislation may result in an increase in state and local revenue due to the potential for more property to be sold. The extent and timing of any such increase is dependent on multiple unknown factors and cannot be determined with reasonable certainty.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

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